



Order Filed on October 22, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Law Offices of Herbert B. Raymond 7 Glenwood Ave Suite #408 4th Floor East Orange, NJ 07017 973-675-5622 Attorneys for Debtors
In Re: Carl A Powell, Sr and Michelle A. F inney-Powell Debtors

Case No.: 18-28018-VFP

Chapter: 13

Hearing Date: November 15, 2018

Judge: Vincent F. Papalia

**CONSENT ORDER ON DEBTOR'S CHAPTER 13 PLAN/MOTION
FILED ON SEPTEMBER 23, 2018**

The relief set forth on the following page(s) 2-3 is hereby ORDERED

DATED: October 22, 2018



Honorable Vincent F. Papalia
United States Bankruptcy Judge

DATED:

Honorable Vincent F. Papalia
United States Bankruptcy Judge

Debtors: Carl A Powell, Sr and Michelle A. Finney-Powell

Case No.: 18-28018-VFP

Caption of Order: CONSENT ORDER ON DEBTOR'S CHAPTER 13 PLAN/MOTION
FILED ON September 23, 2018

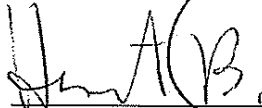
THIS MATTER being opened to the Court by Debtors, Carl A Powell, Sr and Michelle A. Finney-Powell, having filed a Chapter 13 Plan/Motion, and the Debtor and mortgage creditor Bank of America, N.A. having reached a resolution; and the Court noting the consent of the parties to the form, substance and entry of the within Order; and for good cause shown;

IT IS ORDERED that:

1. Bank of America, N.A. ("BANA") holds a second lien against real property owned by the Debtors and located at 717 WATCHUNG AVE, PLAINFIELD, NJ 07060 ("Residence").
2. Provided BANA files a timely proof of claim, it shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtor's Chapter 13 Plan.
3. The avoidance of BANA's second lien is contingent upon the Debtor's completion of the Chapter 13 plan and receipt of a Chapter 13 discharge.
4. BANA shall retain its lien for the full amount due under the subject loan in the event of the dismissal of the Debtor's Chapter 13 case or conversion of the case to any other Chapter under the United States Bankruptcy Code.
5. BANA shall also retain its lien for the full amount due under the subject loan if, prior to completion of the Chapter 13 plan and entry of a discharge, the subject property is sold or refinanced, or the Chapter 13 plan is amended or modified to surrender the property.
6. In the event that the property is destroyed or damaged, BANA shall be entitled to its full rights as a loss payee with respect to any insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage.
7. In the event that any entity, including the holder of the first lien on the Subject Property forecloses on its security interest and extinguishes BANA's lien prior to the Debtor's completion of the Chapter 13 plan, BANA's lien shall attach to any surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale.

8. Each party shall bear their own attorney's fees and costs incurred in the present case number.
9. The undersigned hereby consent to the form, content and entry of the within Order.

11-15-18


Herbert B. Raymond, Esquire
Attorney for Debtors

/s/ Frederic J. DiSpigna

Frederic J. DiSpigna
Authorized Agent for Bank of America, N.A.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Carl A Powell, Sr
Michelle A. Finney-Powell
Debtors

Case No. 18-28018-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Oct 22, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 24, 2018.

db/jdb +Carl A Powell, Sr, Michelle A. Finney-Powell, 717 Watchung Avenue,
Plainfield, NJ 07060-2513

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 24, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 22, 2018 at the address(es) listed below:

Herbert B. Raymond on behalf of Joint Debtor Michelle A. Finney-Powell
bankruptcy123@comcast.net,
jeff.raymond@comcast.net;raymondmail@comcast.net;carol-raymond@comcast.net;bankruptcyattorneys@comcast.net;herbertraymond@gmail.com;carbonell_c@hotmail.com;kdelyon.raymond@gmail.com
Herbert B. Raymond on behalf of Debtor Carl A Powell, Sr bankruptcy123@comcast.net,
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Jill Manzo on behalf of Creditor FAY SERVICING, LLC, as servicer for U.S. ROF III LEGAL
TITLE TRUST 2015-1, BY U.S. BANK NATIONAL ASSOCIATION, AS LEGAL TITLE TRUSTEE
bankruptcy@feinsuch.com
Kevin Gordon McDonald on behalf of Creditor The Bank of New York Mellon, successor trustee to
JPMorgan JPM Chase Bank, N.A., as Trustee, on behalf of the registered holders of Structured
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Laura M. Egerman on behalf of Creditor U.S. ROF III LEGAL TITLE TRUST 2015-1, BY U.S. BANK
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TOTAL: 7